

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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HUAWEI TECHNOLOGIES, CO., LTD, *et al.*

Plaintiffs,

-against-

PANOPTIS PATENT  
MANAGEMENT, LLC,

Defendant.  
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**ORDER DISMISSING  
COMPLAINT FOR LACK OF  
SUBJECT-MATTER  
JURISDICTION**

24 Civ. 4708 (AKH)

ALVIN K. HELLERSTEIN, U.S.D.J.:

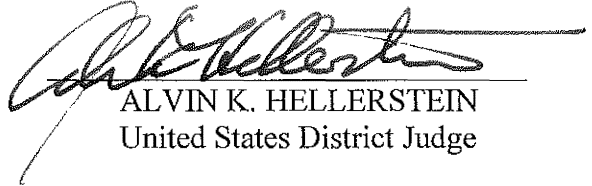
Plaintiffs Huawei Technologies Co. Ltd., Huawei Device Co., Ltd., and Huawei Device (Shenzhen) Co., Ltd., which are all incorporated—and have their principal places of business located—in China, sue Defendant PanOptis Patent Management, LLC, a Delaware limited liability corporation (“LLC”). *See* Compl. at ¶¶ 6-9. The alleged jurisdictional basis is diversity of citizenship, pursuant to 28 U.S.C. § 1332. *See* Compl. at ¶ 12. LLCs are deemed to be citizens of all the states in which their constituents are citizens. *See Handelsman v. Bedford Vill. Assocs. Ltd. P’ship*, 213 F.3d 48, 51 (2d Cir. 2000); *see also Americold Realty Trust v. Conagra Foods, Inc.*, 136 S. Ct. 1012, 1014 (2016) (“While humans and corporations can assert their own citizenship, other entities take the citizenship of their members.”). Here, the Complaint has failed to identify each of the members of the underlying LLC and allege their respective citizenships.

The Complaint is dismissed, with leave to replead an adequate basis of diverse citizenship no later than 21 days from the entry of this Order.

The initial pretrial conference, scheduled for December 13, 2024 at 10 a.m., is vacated.

SO ORDERED.

Dated: December 10, 2024  
New York, New York



ALVIN K. HELLERSTEIN  
United States District Judge